

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 364 OF 2006
IN
CRI. APPEAL NO. 331 OF 2006

Manoj Pandurang Nikam ..Applicant.

V/s.
State of Maharashtra .. Respondent.

Ms. S.A. Dhamale for the Applicant. ---

Mrs. A.S. Pai, APP for the Respondent State. ---

CORAM : D. G. DESHPANDE &
S. A. BOBDE, JJ.

DATED : 30TH JUNE, 2006.

P.C.:

1. Heard the learned Advocate for the Applicant-Accused and learned APP for the Respondent State.

2. This is an application for bail. The applicant-accused is convicted under section 302 for committing murder of his father's sister and the motive attributed to him that she was not giving him money which she had in her bank. The learned Advocate for the accused states that the accused was on bail during trial. There are three dying declarations that came to be recorded by the Special Executive Magistrate. In the first dying declaration the victim has stated that on account of explosion of stove, she had sustained the injuries. In

the second dying declaration some different name of the person was shown and therefore, third dying declaration was recorded. All the dying declarations are disbelieved by the trial court. The lady died after four months.

3. Therefore, this application is allowed. The applicant-accused be released on P.R. Bond of Rs.10,000/- (Rs. Ten thousand) with one or two solvent sureties in the like amount.

4. Criminal Application for bail is disposed of in the above terms.

(D.G.DESHPANDE, J)

Dt.30.06.2006

(S.A. BOBDE, J)

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